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SECTION II

REMARKS

Regarding the Amendments

Claims 1, 7, 18, and 21 have been amended as set forth in the above Complete Listing of the Claims. As amended, the claims are supported by the specification and the original claims. No new matter has been added, as defined by 35 U.S.C. § 132.

Thus, upon entry of the present Response, claims 1-31 will be pending, of which claims 14-17 and 24-31 are withdrawn.

Potential Interference

In the Office Action mailed June 8, 2007, the examiner has advised applicants of the potential for interference over U.S. Patent No. 7,019,159 (hereinafter "the '159 patent"). Initially, it is noted that a request for interference would be premature at this point, as examination of this application has not been completed, as required by 37 C.F.R. 41.102(a). See MPEP § 2303.

Further, applicants also submit that an interference would not be appropriate, as the claims of the '159 patent and the claims of the present application, as amended herein, do not overlap.

As amended by the present response, claim 1 of this application recites a disilane compound fully substituted with alkylamino or dialkylamino functional groups, but in which the substituents on each silicon atom are not all simultaneously the same C<sub>1</sub>-C<sub>4</sub> monoalkylamino group. In the '159 patent, however, the substituents of the disilane compound are all monoalkyls and each silicon atom has three identical substituents. The claims of the present invention do not recite a compound claimed in the '159 patent and therefore an interference between allowed claims of the present application and the issued claims of the '159 patent would not be appropriate.

Double Patenting

The Examiner has rejected claims 1-13 and 18-23 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 of copending U.S. Application No. 10/294,431 (hereinafter "the '431 application"). Applicants respectfully disagree, as the claims of the two applications do not cover the same subject matter.

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Independent claim 1 of the present application recites:

A silicon compound comprising a disilane derivative that is fully substituted with alkylamino and/or dialkylamino functional groups, with the proviso that the disilane substituents are not all simultaneously dimethylamino or diethylamino and with the proviso that the substituents on each silane are not all simultaneously the same C<sub>1</sub>-C<sub>4</sub> monoalkylamino group.

The claims of the '431 application do not cover a disilane derivative that is fully substituted with alkylamino and or dialkylamino functional groups. In response to the Final Office Action mailed May 2, 2007 in the '431 application, Applicants submitted an Amendment and Response on July 2, 2007, and again as a submission accompanying an RCE filed on July 22, 2007. Independent claim 2 of that submission, as amended, recites a silicon compound of the formula  $[\text{SiX}_n(\text{NR}^1\text{R}^2)_{3-n}]_2$  where R<sup>1</sup> and R<sup>2</sup> may be the same as or different from one another and are independently selected from: H, C<sub>1</sub>-C<sub>4</sub> alkyl, and C<sub>3</sub>-C<sub>6</sub> cycloalkyl and where X is selected from halogen, hydrogen and deuterium and  $0 < n \leq 2$ , with various provisos.

In order for the compound of independent claim 2 of the '431 application to be a disilane derivative that is fully substituted with alkylamino and or dialkylamino functional groups, n would have to equal zero. However, from independent claim 2, it is seen that as  $0 < n \leq 2$ , neither of the silicones may be fully substituted with three NR<sup>1</sup>R<sup>2</sup> groups, each Si must contain a bond to at least one of halogen, hydrogen or deuterium.

Claim 1 of the '431 application is presently withdrawn from consideration. Compound (A) of that claim is also drawn to a silicon compound of the formula  $[\text{SiX}_n(\text{NR}^1\text{R}^2)_{3-n}]_2$ . As originally filed, claim 2 was dependant upon claim 1. However, as pending, both claims 1 and 2 are independent claims. In the '431 application a Response and Amendment was filed on September 10, 2007 in Response to the Office Action mailed August 3, 2007. By that response, claim 1 has been amended such that the definitions of R<sup>1</sup>, R<sup>2</sup> and X are the same as those provided in pending claim 2. As  $0 < n \leq 2$  in claim 1(A), neither of the silicones may be fully substituted with three NR<sup>1</sup>R<sup>2</sup> groups and therefore the claim does not recite a disilane derivative that is fully substituted with alkylamino and or dialkylamino functional groups.

The examiner has stated that "the first compound recited in claim 3 of the '431 application is fully embraced by claims 1-12 of the instant application." That compound is (EtNH)<sub>3</sub>Si-Si(HNEt)<sub>3</sub>. In the Response and Amendment filed on September 10, 2007 in the '431 application, claim 3 has been amended to remove (EtNH)<sub>3</sub>Si-Si(HNEt)<sub>3</sub> and claim 44 has been

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cancelled. As such,  $(\text{EtNH})_3\text{Si-Si}(\text{HNEt})_3$  is no longer within the scope of the claims of the '431 application.

The pending claims of the present application and the pending claims of the '431 application are therefore patentably distinct from one another. Withdrawal of the rejection of claims 1-13 and 18-23 on the ground of nonstatutory obviousness-type double patenting is therefore requested.

### CONCLUSION

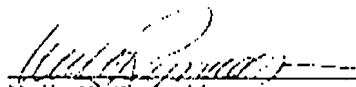
Based on the foregoing, all of Applicants' pending claims 1-13 and 18-23 are patentably distinguished over the art, and are in form and condition for allowance. The Examiner is requested to favorably consider the foregoing and to responsively issue a Notice of Allowance.

No fees are believed to be due for the filing of this paper. However, should any fees be required or an overpayment of fees made, please debit or credit our Deposit Account No. 08-3284, as necessary.

If any issues require further resolution, the Examiner is requested to contact the undersigned attorney at (919) 419-9350 to discuss same.

Respectfully submitted,

Date: September 10, 2007

  
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